# RECEIVED CENTRAL FAX CENTER AUG 0 9 2005

Docket No. JAB-1517

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

:Bender et al.

Confirmation No.: 5991

Appln. No.

: 10/018,257

Filed

:December 13, 2001

Title

:CLONING AND EXPRESSION OF A NOVEL 5-HT4 RECEPTOR

Art Unit

:1646

Examiner

:John D. Ulm

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

#### INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. \$1.56 and in accordance with 37 C.F.R. \$\$1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. \$1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with \$1.129(a), this Information Disclosure Statement is being filed in connection with the first After Final Submission. Copies of the references listed, which are in the English language, on the attached Form PTO-1449 are enclosed herewith.

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Included are: Statement in Accordance with \$1.97(e) as set forth below and the fee of \$180.00 as set forth in \$1.17(p).

### STATEMENT UNDER 37 C.F.R. §1,97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

The items of information contained in this information disclosure statement were first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Please charge Deposit Account No. 10-0750/JAB1517/HP-JH3 the fee of \$180.00 as set forth in \$1.17(p).

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JAB1517/HP-JH3. This form is submitted in triplicate.

Respectfully submitted,

/Hesna J. Pfeiffer/ Hesna J. Pfeiffer Req. No. 22,640 Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-2830 DATED: August 9, 2005

Approved for use through 10/31/2002, OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

J&J

Sheet 1 of 1

a concern or information offices it displays	VERO CINID CONTROL REPROPT
Application Number	10/018,257
Filing Date	December 13, 2001
First Named Inventor	Bender
Group Art Unit	1646
Examiner Name	John Ulm
Attorney Docket Number	JAB-1517

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's Inidals*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		ULLMER, CHRISTOPH ET AL., "Expression of serotonin receptor mRNAs in blood vessels"; FEBS Letters 370 (1995) 215-221	
		EP application 00 947 854.6-1223; Communication under 96(2) dated 08.07.2005	
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Examiner Signature	Date Considered	
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<sup>\*</sup>EXAMINER: thillal if reference considered, whether or not citation is in conformance with MPEP 809, Draw line through citation if not in conformance and not considered, Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number, 2 Applicant is to place a check mark here if English lenguage Translation is attached.